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Attorneys for Plaintiff Sun City Publishing, LLC

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SUN CITY PUBLISHING, LLC

Plaintiff,

vs.

MICHAEL KENNEY PKA  
“KORDHELL”, an individual,  
KORDHELL, LLC, a California  
limited liability company, THE  
ORCHARD MUSIC, INC., a Delaware  
corporation; SONY MUSIC  
ENTERTAINMENT, INC., a Delaware  
corporation and DOES 1-10, Inclusive,

Defendants

Case No.: 8:22-cv-2311

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF FOR  
COPYRIGHT INFRINGEMENT

DEMAND FOR JURY TRIAL  
(F.R.C.P. Rule 38)

1. In 2021 and 2022, Defendants distributed two songs (*Murder In My Mind*  
and *Killers From The Northside*) which incorporate illegal samples taken from two

1 songs whose copyrights belong to Plaintiff. Defendants' songs to date have  
2 received hundreds of millions of streams on the various music platforms with no  
3 permission sought or financial compensation paid to Plaintiff. Plaintiff brings this  
4 suit to recover its share of the profits earned by Defendants from their infringing  
5 songs and to obtain an injunction against further infringement.  
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## 8 II. THE PARTIES

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10 2. Plaintiff is a Florida limited liability company located in Miami Florida.  
11 Plaintiff operates as a music publishing company.

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13 3. Upon information and belief, Defendant Michael Kenney is a professional  
14 musician who operates under the stage name "Kordhell." Upon information and  
15 belief, Kenney currently resides in Huntington Beach, California.  
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17 4. Upon information and belief, Defendant Kordhell, LLC is a California  
18 limited liability company owned and operated by Defendant Michael Kenney.  
19 Upon information and belief, Kenney distributes his music through Kordhell, LLC.  
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21 5. Upon information and belief, Defendant Orchard Music, Inc, is a Delaware  
22 corporation with its principal place of business located in New York City, New  
23 York. Orchard Music is a music distribution company that regularly contracts with  
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1 California residents to distribute their music. Upon information and belief,  
2 Orchard Music is a division of Sony Music Entertainment.  
3

4 6. Upon information and belief, Defendant Sony Music Entertainment is a  
5 Delaware corporation with its principal place of business located in New York  
6 City, New York and has offices in Burbank, CA. Upon information and belief,  
7 Sony Music Entertainment is the corporate owner of Orchard Music.  
8

9  
10 7. Plaintiff does not presently know the true names and capacities of the  
11 defendants named as Does 1 through 10 and therefore sues such defendants by  
12 these fictitious names. Plaintiff believes that the Doe Defendants are persons or  
13 entities who are involved in the acts set forth below, either as independent  
14 contractors, agents, or employees of the known defendants, or through entering  
15 into a conspiracy and agreement with the known Defendants to perform these acts,  
16 for financial gain and profit, in violation of Plaintiff's rights. Plaintiff will request  
17 leave of Court to amend this Complaint to set forth their true names, identities, and  
18 capacities when Plaintiff ascertains them. The Doe defendants and the known  
19 Defendants are referred to hereinafter collectively as "Defendants."  
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## 23 JURISDICTION AND VENUE

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1 1. The present action arises under the Copyright Act, Title 17, Section 101, et seq.,  
2 of the United States Code.

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4 2. Jurisdiction is conferred on this Court by 28 U.S.C. Section 1338(a).

5 3. Venue lies in the Central District of California under 28 U.S.C § 1391(a) and  
6 (b) and 28 U.S.C. Section 1400(a).  
7

8 FACTS COMMON TO CLAIMS OF RELIEF  
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10 4. Plaintiff is the registered copyright owner to the sound recording-titled *Pre*  
11 *Medatated* by Lil Slim (“Pre Medatated”) which appears on the album *Robberies*  
12 *My Specialty*.  
13

14 5. Plaintiff is the sole owner of the copyright to *Pre Medatated*. The album  
15 containing the song was registered with the U.S. Copyright Office on February 16,  
16 2020, Registration No. SR 0000905539. As the copyright owner, Plaintiff owns the  
17 exclusive right to distribute Pre Medatated or to make derivative versions  
18 therefrom.  
19  
20

21 6. Plaintiff is also the registered copyright owner to the sound recording titled  
22 “Killa From Da Northside” by Lil Corb, which appears on the album *Killa From*  
23 *Da Northside*. The album containing *Killa From Da Northside* was registered with  
24 the U.S. Copyright Office on February 19, 2020, Registration No. SR0000906091.  
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1 As the copyright owner, Plaintiff owns the exclusive right to distribute *Killa From*  
2 *Da Northside* or to make derivative versions thereof.

3  
4 7. Upon information and belief, Kenney is a professional musician professionally  
5 known as Kordhell. In 2022, Kenney, through his solely owned company,  
6 Kordhell, LLC released a single called “Murder In My Mind” which incorporates a  
7 sample from Pre Medatated throughout the song. In fact, the refrain of the song,  
8 which has a voice chanting “Murder, Murder In My Mind” is taken from the  
9 sample of “Pre Medatated”.  
10

11  
12 8. Kenney and Kordhell, LLC have released multiple versions of the Murder In  
13 My Mind single (normal, slowed down, and sped up) and the song has proved to be  
14 a huge hit garnering over 250,000,000 streams on Spotify alone as well as over  
15 129,000,000 views on YouTube. The song was also a major hit on Tik Tok, with  
16 over 500,000 videos incorporating the song.  
17

18  
19 9. At no point did Plaintiff give Defendants or anyone else permission to use any  
20 portion of Pre Medatated in Murder In My Mind.  
21

22 10. In 2021, Kenney, through his solely owned company, Kordhell, LLC released  
23 a single called “Killers From The Northside” which incorporates a sample from  
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1 Killa From The Northside throughout the song. Again, the title of the song is taken  
2 from the part of the song sampled from *Killa From Da Northside*.  
3

4 11. The song Killers From The Northside is not as big a hit as Murders In My  
5 Mind but to date has received over 14,000,000 streams on Spotify alone.  
6

7 12. At no point did Plaintiff give Defendants or anyone else permission to use any  
8 portion of *Killa From Da Northside* in *Killers From The Northside*.  
9

10 13. Upon information and belief, the *Murder In My Mind* track and the *Killers*  
11 *From The Northside* track are generally available to the public for listening on all  
12 of the major music platforms, including Spotify, iTunes Music, and YouTube.  
13

14 14. Upon information and belief, Kenney, through Kordhell, LLC entered into a  
15 distribution agreement with Orchard Music and Sony Music to distribute Kenney's  
16 music and it is Orchard Music and Sony which has distributed the infringing tracks  
17 and placed them on the various music platforms.  
18

19 15. Defendants are believed to have collectively received well over \$1 million  
20 dollars to date from their exploitation of Murder In My Mind and Killers From The  
21 Northside.  
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24 Attorneys' Fees and Costs  
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1 16. By reason of the wrongful acts of defendants, Plaintiff has been forced to  
2 retain the Law Offices of Larry Zerner to prosecute the present action. As a result,  
3 Plaintiff will incur attorneys' fees in an amount yet to be fully ascertained, but  
4 which is reasonably expected to exceed Ten Thousand Dollars (\$10,000.00).  
5

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7 FIRST CLAIM FOR RELIEF

8 (For Copyright Infringement Against All Defendants)  
9

10 17. Plaintiff re-allege and incorporate by reference, as though set forth in full,  
11 paragraphs 1 through 16 above as though fully set forth herein.

12 18. Defendants, and each of them, have infringed the copyright in *Pre Medatated*  
13 by incorporating it into the song *Murder In My Mind* (sampled) without  
14 authorization. Defendants have published, manufactured, and distributed, copies of  
15 *Murders In My Mind*. Defendants never paid Plaintiff, nor secured the  
16 authorization for the use of *Pre Medatated* in *Murder In My Mind*.  
17

18 19. Defendants, and each of them, have infringed the copyright in *Killa From da*  
19 *Northside* by incorporating it into the song *Killers From The Northside* (sampled)  
20 without authorization. Defendants have published, manufactured, and distributed,  
21 copies of *Killers From The Northside*. Defendants never paid Plaintiff, nor secured  
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1 the authorization for the use of *Killa From da Northside* in *Killers From The*  
2 *Northside*.

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4 20. As a direct and proximate result of Defendants' infringement, Plaintiff is  
5 entitled to its actual damages in addition to Defendants' profits that are attributable  
6 to the copyrighted material; alternatively, Plaintiff is entitled to statutory damages  
7 for infringement in the maximum statutory amount allowed.  
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9  
10 21. Furthermore, in acting as alleged above, Plaintiff is informed and believes, and  
11 on that basis allege, that Defendants have acted oppressively, maliciously, and  
12 willfully for the purpose of injuring Plaintiff, and, therefore, Plaintiff is entitled to  
13 additional damages in an amount to be proven at trial for willful and knowing  
14 infringement, but in no event less than \$1,000,000.  
15

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17 22. Defendants threaten to continue to act as alleged above, and unless restrained  
18 and enjoined, will continue to do so, all to Plaintiff's irreparable injury. The  
19 amount of compensation which would afford adequate relief to Plaintiff for such  
20 injury will be difficult to ascertain. The wrongful acts of Defendants are of a  
21 continuing nature and will require a multiplicity of judicial proceedings.  
22

23  
24 Accordingly, Plaintiff's remedy at law is inadequate, and Plaintiff is entitled to  
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1 preliminary and permanent injunctive relief to enjoin the wrongful conduct of  
2 Defendants alleged above.  
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4 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

5 1. That Defendants be required to pay Plaintiff such damages as Plaintiff  
6 has sustained or will sustain by reason of Defendant's conduct, and to account for  
7 all gains, profits and advantages derived by Defendant from such conduct but in no  
8 event less than \$1,000,000.  
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11 2. That all items which infringe Plaintiff's copyright be impounded  
12 surrendered up and forfeited to Plaintiff for destruction or other disposition.  
13

14 3. That Defendants and Defendants' agents, servants, and employees,  
15 and each of them, and all persons acting in concert and participation with them, be  
16 enjoined and restrained during the pendency of this action and permanently  
17 thereafter from infringing any and all of the copyrights in his music by, among  
18 other things, acquiring, copying, manufacturing, distributing, and selling Plaintiff's  
19 music or any tracks that incorporate Plaintiff's music; and  
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22 4. That Defendants be required to pay to Plaintiff its attorneys' fees and  
23 costs incurred in connection with the prosecution of this action; and  
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25 5. For such other and further relief as the Court deems appropriate.  
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1 DATED: December 22, 2022

LAW OFFICES OF LARRY ZERNER

2  
3  
4 By: /s/Larry Zerner

5 Larry Zerner

6 Attorney for Plaintiff Sun City

7 Publishing, LLC

8  
9 DEMAND FOR TRIAL BY JURY

10 Plaintiff Sun City Publishing, LLC pursuant to Rule 38 of the Federal Rules  
11 of Civil Procedure hereby demands trial by jury of all issues so triable in the  
12 present action.  
13

14 DATED: December 22, 2022

LAW OFFICES OF LARRY ZERNER

15  
16 By: /s/Larry Zerner

17 Larry Zerner

18 Attorney for Plaintiff Sun City Publishing,  
19 LLC  
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